

Draft Showing Changes from Prenotice

1 Adopt 2 Cal. Code Regs. Section 18946.6 to read:

2 **§ 18946.6. Reporting and Valuation of Gifts: Air Transportation.**

3 Air transportation that is a gift to a public official shall be valued as follows:

4 (a) For transportation on a “commercial aircraft,” the value of the ticket or fare the carrier
5 charges to a member of the public for the same transportation provided to the official. For purposes
6 of this regulation, “commercial aircraft” means an aircraft used ~~operated by a person who offers air~~
7 ~~transportation~~ to transport the general public for compensation or hire on a regular basis, and for
8 which ~~charges~~ a fare is charged on a per-passenger basis.

9 (b) For all other air transportation, the value of the normal and usual charter fare or rental
10 charge for a comparable airplane of comparable size, divided by the number of the following per-
11 sons that share the same flight:

12 (1) ~~“Public officials” as defined in Section 82048.~~ “Designated employees” as defined in
13 Section 82019, and public officials specified in Section 87200.

14 (2) Members of Congress, and officers and employees of the executive, legislative, or judi-
15 cial branch of the United States government.

16 (c) The actual cost or fair market value of any other personal benefits provided to the offi-
17 cial during the air transportation, including food, beverages, or entertainment, shall be treated as a
18 separate gift to the official unless the benefit is included as part of the fare determined in subdivi-
19 sions (a) or (b).

20 NOTE: Authority cited: Section 83112, Government Code.

21 Reference: Sections 87207, 87302, and 89501 through 89506, Government Code.